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TO: EXAMINER Michael L. Lindinger
EXAMINER'S TELEPHONE NUMBER 571-272-2106
ART UNIT 2841
SERIAL NO. 09/900,375

FROM: Edward W. Goodman
REGISTRATION NO. 28,613

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510-8001
TELEPHONE: 914-333-9611
FACSIMILE: 914-332-0615

Enclosed: Copy of Appeal Brief mailed November 12, 2003
Copy of Postcard Receipt

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Edward W. Goodman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

YEVGENIY E. SHTEYN

PHUS 018098

SERIAL NO.: 09/900,375

GROUP ART UNIT: 2841

FILED: July 5, 2001

EXAMINER: M.L. Lindinger

DIAL FACE OF WATCH GRAPHICALLY REPRESENTS CALENDAR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

LETTER

This is in response to the telephone conference with Examiner Lindinger on April 13, 2004, in which the Examiner indicated that the Appeal Brief in support of Applicant's Notice of Appeal, mailed September 11, 2003, had not been received.


Applicant asserts that an Appeal Brief was indeed filed by Applicant's representative, Bradley M. Ganz, by mail with a Mailing Certificate dated November 12, 2003. Enclosed herewith is a copy of said Appeal Brief. In addition, enclosed herewith is a copy of Applicant's Postcard Receipt bearing a U.S.P.T.O. receipt stamp indicating that said Appeal Brief was received in the U.S.P.T.O. on November 17, 2003.

S:\GO\PQ14GOD0.GOR

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In view of the above, Applicant submits that said Appeal Brief was indeed timely filed, and respectfully requests that said Appeal Brief receive due consideration.

Respectfully submitted,

by 
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611

V In First Class Mail
Deposited on November 12, 2003

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please acknowledge receipt of the enclosed Transmittal, Fee Transmittal, Appeal Brief (14 pages) in triplicate, Appendix A (2 pages) in triplicate, Exhibit A (7 pages) in triplicate, and Credit Card Payment Form and Authorization to charge Deposit Account No. 50-1001 for any additional or insufficient fees, or to credit any overpayments; sent by First Class Mail, under Certificate of Mailing, on November 12, 2003, by placing your receiving date stamp hereon and returning this card to Bradley M. Ganz, P.O. Box 10105, Portland, Oregon, 97296.

Applicant: Yevgeniy E. Shymy
File No.: PLP 2.002

Title: DIAL FACE OF WATCH GRAPHICALLY REPRESENTS CALENDAR



NL

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

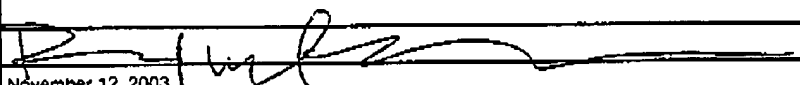
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/900,675	
	Filing Date	July 5, 2001	
	First Named Inventor	Yevgeniy E. Shteyn	
	Art Unit	2841	
	Examiner Name	Michael L. Lindinger	
Total Number of Pages in This Submission	72	Attorney Docket Number	US018098

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Appendix A Return postcard Exhibit A
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Bradley M. Ganz
Signature	
Date	November 12, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: November 12, 2003			
Typed or printed	Shannon Verboort		
Signature		Date	November 12, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public when is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 330.00

Complete if Known

Application Number 09/900,375
Filing Date July 5, 2001
First Named Inventor Yevgeniy E. Shtevn
Examiner Name Michael L. Lindinger
Art Unit 2841
Attorney Docket No. US018098

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 50-1001

Deposit Account Name Bradley M. Ganz

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20* =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	330.00
1403 250	2403 125	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(a)	
1808 180	2808 180	Submission of Information Disclosure Stmt.	
8021 40	2801 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 800	2802 800	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 330.00

SUBMITTED BY

Name (Print/Type) Bradley M. Ganz

Registration No. 34,170

Telephone 503-224-2713

Signature

Date 11/12/03

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